

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:	ATTY. DOCKET NO.:	AUS920030586US1
	§	
	§	
KULVIR SINGH BHOGAL	§	EXAMINER: LAURIE A. RIES
	§	
SERIAL NO.: 10/759,930	§	
	§	
FILED: JANUARY 16, 2004	§	ART UNIT: 2176
	§	
FOR: AUTOMATIC	§	
BIBLIOGRAPHICAL	§	
INFORMATION WITHIN	§	
ELECTRONIC DOCUMENTS	§	

**DECLARATION OF PRIOR INVENTION IN THE UNITED STATES TO OVERCOME
CITED PUBLISHED APPLICATION UNDER 37 C.F.R. §1.131**

MAIL STOP NON-FEE AMENDMENT
COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

PURPOSE OF DECLARATION

This Declaration is to establish completion of the invention in the present Application in the United States at a date prior to October 22, 2003, which is the effective filing date of relevant sections of United States Patent Application No. 10/691,927, filed by Scott Allam on October 22, 2003, and published on July 15, 2004 (U.S. Patent Publication No. 2004/0139400 A1). Specific sections of the Allam Application ('927) was cited by the Examiner to support a §103 rejection of the claims of the present invention. These sections include paragraphs 0283-0286 and others, which are all covered by the present Declaration. The persons making this Declaration are the inventors of the present invention.

FACTS AND DOCUMENTARY EVIDENCE

To establish the date of completion of this Application, Applicants submit herewith International Business Machines (IBM) Disclosure form "Disclosure AUS8-2003-0697" titled "Automated Bibliographic Information," created on April 11, 2003 and printed on April 21,

2003, from which it can be seen that the invention in this application was completed at least by April 11, 2003, a date which is earlier than the effective date of the relevant sections of the Allam Application ('927).

Applicants assert that the content of the attached Invention Disclosure is sufficiently complete to form a constructive reduction to practice.

DILIGENCE

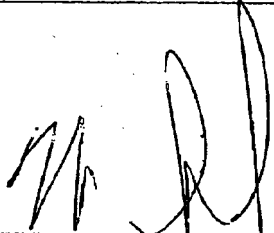
In the event the Examiner determines that the Invention Disclosure Form submitted herewith lacks sufficient completeness to constitute a constructive reduction to practice, Applicants hereby assert conception of the inventive subject matter on a date prior to October 22, 2003 and diligence between the date of conception and the date of constructive reduction to practice, which coincides with the filing of the present Application on January 16, 2004. Applicants assert such diligence in that from the date of conception, at a time prior to October 22, 2003, and continuously (at all times) up to the date of the constructive reduction to practice on January 16, 2004, Applicants were diligent in that Applicants submitted the Invention Disclosure to the Intellectual Property Law Department of IBM, where the Disclosure was processed as required by IBM corporate policies. That Disclosure was evaluated by a Patent Committee and the filing of the present application was authorized. Thereafter, the Invention Disclosure was submitted to outside patent counsel who was diligent in the preparation of the present patent Application, by generating and submitting drafts of the application to the inventors for review and approval and eventually filing the present patent Application on January 16, 2004.

TIME OF PRESENTATION OF THE DECLARATION


This Declaration is submitted prior to a Final Rejection.

DECLARATION

As the person signing below, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S.C., and that such willful, false statements may jeopardize the validity of the present Application or any patent issued thereon.



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